

Mr. Swearingen,

I have read the letter from Mayor Benjamin (December 10, 2013) and the attached testimony of Mr. Charles Snyder presented on December 9, 2013. While Mr. Snyder's description of the Section 106 process is substantially correct, he did significantly err by stating that the "[Section 106] review has not been undertaken" and by thus implying that the Town is not in compliance with the regulatory requirements.

I spoke on the telephone with Mr. Snyder on two occasions, November 22 and December 6, primarily to answer his detailed questions about the Section 106 process. In our December 6 conversation, Mr. Snyder stated, in essence, that he and other residents were concerned that the Town was not complying with the Section 106 process. I immediately corrected him by pointing out that the Town, in fact, had initiated the 106 process by notifying our office of the proposed undertaking and seeking our comments on its effects. I further explained that we are unable to fully assess the impact of the proposed undertaking until we receive more detailed plans and information – plans and information that the Town has not yet had the opportunity to develop. Our letter of November 25, 2013, did indicate our opinion that the proposed conceptual project has the *potential* to cause "adverse effects" under the definitions of the regulations, particularly for the proposed new construction elements. We encouraged the Town to fully explore all prudent and feasible alternatives in its planning that would both address project safety needs and avoid or minimize adverse effects on the defining characteristics of the historic district.

To reiterate, while the Section 106 process is far from being concluded, the Town of Garrett Park is in compliance with all federal and state requirements related to Section 106 at this early point in the planning process. As you move forward in your consideration of this undertaking, I urge you to take into account the considerations and planning steps that we recommended in our letter of November 25. If I may answer any questions or provide any additional information, do not hesitate to call.

J. Rodney Little
Director, Maryland Historical Trust and
Maryland State Historic Preservation Officer